IN THE HIGH COURT OF BOMBAY AT GOA

COMPANY APPLICATION NO. 14 OF 2004

IN

COMPANY PETITION NO. 7 OF 2003

KENYA AIRWAYS LTD., ...Applicants

Shri G. K. Purwar, Official Liquidator in person.

Coram:- S.S. PARKAR, J.

Date:- 8th July, 2005

P.C.

Pursuant to this application, notice was issued by this Court to the creditor-Petitioner. Accordingly, creditor-Petitioner Kenya Airways Ltd., has sent their cheque No.001224 dated 18.8.2004 for Rs.10,000/- in favour of the Official Liquidator by forwarding letter dated 8th October, 2004, addressed to the Asst. Registrar of this Court. The same has remained in the Registry for inaction in the matter either by the Official Liquidator or by the Registry of this Court. The Registry has made only endorsement on the proceedings of the matter, without intimating the Official Liquidator and in the process the cheque appears to have become time-barred.

In the circumstances, this application is allowed and the original cheque No.001224 dated 18.8.2004 is handed over to the Official Liquidator, who shall in turn return the said time-barred cheque to Kenya Airways Ltd. with a request to issue a fresh cheque/Demand Draft for the said amount of Rs.10,000/- in favour of the Official Liquidator and forward the same directly to the Official Liquidator.

The application is disposed of. However, the Registry of this

Court is directed to be vigilant in such matters, henceforth and immediately inform the party concerned and also bring it to the notice of the Presiding Judge of this Court, so that appropriate orders can be passed immediately and the cheques would not lapse for inaction in the matter.

A copy of this order shall be sent to the Registrar of this Court for information and for taking appropriate steps in such matters.

S.S. PARKAR, J.